

MINUTE ITEM

11. APPLICATION FOR LEASE OF 2.72 ACRES OF TIDE AND SUBMERGED LANDS IN NEW YORK SLOUGH AT PITTSBURG, CONTRA COSTA COUNTY, M & R SERVICES - W.O. 3676, P.R.C. 2757.1.

After consideration of Calendar Item 4 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE EXECUTIVE OFFICE IS AUTHORIZED TO ISSUE TO M & R SERVICES, A CALIFORNIA CORPORATION, A 15-YEAR LEASE ON A PARCEL OF TIDE AND SUBMERGED LANDS IN NEW YORK SLOUGH, CONTRA COSTA COUNTY, FOR THE MAINTENANCE AND OPERATION OF AN EXISTING WHARF AND OF OTHER RELATED APPURTENANCES UPON THE FOLLOWING TERMS AND CONDITIONS:

THE LEASE IS TO PROVIDE FOR:

1. LAND RENTAL OF \$2,700.96 ANNUALLY, THE FIRST AND LAST YEARS' RENTAL PAYABLE IN ADVANCE;
2. TWO RENEWAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE COMMISSION MAY IMPOSE;
3. A SURETY BOND IN THE AMOUNT OF \$30,000 TO GUARANTEE PERFORMANCE OF THE LEASE CONDITIONS.

THE PARCEL OF LAND IS DESCRIBED AS FOLLOWS:

BEGINNING ON THE ORDINARY HIGH TIDE LINE ALONG THE SOUTHERLY BANK OF NEW YORK SLOUGH, BEING ALSO THE NORTHERLY LINE OF THE RANCHO LOS MEDANOS, AT THE MOST EASTERLY CORNER OF THE 1.8-ACRE PARCEL OF LAND DESCRIBED AS PARCEL TWO IN THE DEED FROM JOHNS-MANVILLE INCORPORATED OF CALIFORNIA TO JOHNS-MANVILLE PRODUCTS CORPORATION, DATED JUNE 15, 1932 AND RECORDED JUNE 18, 1932 IN VOLUME 318 OF OFFICIAL RECORDS, AT PAGE 258, COUNTY OF CONTRA COSTA; THENCE FROM SAID POINT OF BEGINNING ALONG SAID ORDINARY HIGH TIDE LINE N. 78° 52' 05" W., 1.97 FEET TO A POINT ON THE ORDINARY HIGH TIDE LINE; THENCE N. 58° 23' 24" W., 256.55 FEET TO A POINT ON THE ORDINARY HIGH TIDE LINE; THENCE, LEAVING SAID ORDINARY HIGH TIDE LINE, N. 16° 47' 42" E., 127.22 FEET TO THE PIERHEAD LINE AS ESTABLISHED BY ACT OF CONGRESS IN 1887; THENCE ALONG SAID PIERHEAD LINE S. 65° 32' 47.5" E., 854.71 FEET; THENCE, LEAVING THE SAID PIERHEAD LINE, S. 16° 47' 42" W., 157.59 FEET TO A POINT ON THE ORDINARY HIGH TIDE LINE; THENCE, ALONG THE SAID ORDINARY HIGH TIDE LINE N. 50° 17' 14" W., 42.37 FEET; THENCE N. 56° 06' 31" W., 109.55 FEET; THENCE N. 68° 28' 07" W., 149.49 FEET; THENCE N. 63° 52' 34" W., 102.59 FEET; THENCE N. 66° 22' 33" W., 98.22 FEET; THENCE N. 78° 52' 05" W., 106.15 FEET TO THE POINT OF BEGINNING, CONTAINING 2.72 ACRES, MORE OR LESS.

Attachment
Calendar Item 4 (2 pages)

CALENDAR ITEM

4.

APPLICATION FOR LEASE OF 2.72 ACRES OF TIDE AND SUBMERGED LANDS IN NEW YORK SLOUGH AT PITTSBURG, CONTRA COSTA COUNTY, M & R SERVICES - W.O. 3676.

An application has been received from M & R Services, a California corporation, to lease 2.72 acres of tide and submerged lands in New York Slough at Pittsburg, Contra Costa County.

In 1950, subsequent to the dismissal of a condemnation action, the Commission authorized the issuance to the United States of America of right-of-user permit P.R.C. 398.1, covering the same 2.72 acres of tide and submerged lands in New York Slough at Pittsburg, Contra Costa County, for the maintenance and use of an embarkation wharf adjacent to Camp Stoneman.

The permit provided that in the event the improvements were to be sold, the State would have first refusal on the purchase of such improvements at a price determined by the United States. The State Lands Commission, on December 17, 1960 (Minute Item 29, pages 5525-27), declined the purchase of the improvements located on the State lands covered by user permit P.R.C. 398.1.

General Services Administration advised the State Lands Division on August 25, 1960, of the election by the United States of America to terminate Lease P.R.C. 398.1, and further notified this Division that the improvements located within the lease area had been sold to M & R Services. The applicant, M & R Services, as the owner of the adjoining upland site, requests a lease of the 2.72 acres of tide and submerged lands in New York Slough at Pittsburg, Contra Costa County, for an initial period of 15 years, beginning July 19, 1960, with the right to renew for two additional periods of ten years each, upon such reasonable terms and conditions as the Commission might impose. The land is to be used for the maintenance and operation of the existing wharf and of other related appurtenances.

Based upon a staff appraisal of the market value of the site, the land rental for a 15-year period would be at the rate of \$2,700.96 per year, for a total rental of \$40,514.40.

A surety bond is to be required in the amount of \$30,000, to guarantee performance of the lease conditions. The statutory filing fee and the expense deposit have been paid.

IT IS RECOMMENDED THAT THE EXECUTIVE OFFICER BE AUTHORIZED TO ISSUE TO M & R SERVICES, A CALIFORNIA CORPORATION, A 15-YEAR LEASE ON A PARCEL OF TIDE AND SUBMERGED LANDS IN NEW YORK SLOUGH, CONTRA COSTA COUNTY, FOR THE MAINTENANCE AND OPERATION OF AN EXISTING WHARF AND OF OTHER RELATED APPURTENANCES UPON THE FOLLOWING TERMS AND CONDITIONS:

CALENDAR ITEM 4. (CONTD.)

THE LEASE IS TO PROVIDE FOR:

1. LAND RENTAL OF \$2,700.96 ANNUALLY, THE FIRST AND LAST YEARS' RENTAL PAYABLE IN ADVANCE;
2. TWO RENEWAL PERIODS OF TEN YEARS EACH UPON SUCH REASONABLE TERMS AND CONDITIONS AS THE COMMISSION MAY IMPOSE;
3. A SURETY BOND IN THE AMOUNT OF \$30,000 TO GUARANTEE PERFORMANCE OF THE LEASE CONDITIONS.

THE PARCEL OF LAND IS DESCRIBED AS FOLLOWS:

BEGINNING ON THE ORDINARY HIGH TIDE LINE ALONG THE SOUTHERLY BANK OF NEW YORK SLOUGH, BEING ALSO THE NORTHERLY LINE OF THE RANCHO LOS MEDANOS, AT THE MOST EASTERLY CORNER OF THE 1.8-ACRE PARCEL OF LAND DESCRIBED AS PARCEL TWO IN THE DEED FROM JOHNS-MANVILLE INCORPORATED OF CALIFORNIA TO JOHNS-MANVILLE PRODUCTS CORPORATION, DATED JUNE 15, 1932 AND RECORDED JUNE 18, 1932 IN VOLUME 318 OF OFFICIAL RECORDS, AT PAGE 258, COUNTY OF CONTRA COSTA; THENCE FROM SAID POINT OF BEGINNING ALONG SAID ORDINARY HIGH TIDE LINE N. 78° 52' 05" W., 1.97 FEET TO A POINT ON THE ORDINARY HIGH TIDE LINE; THENCE N. 58° 23' 24" W., 256.55 FEET TO A POINT ON THE ORDINARY HIGH TIDE LINE; THENCE, LEAVING SAID ORDINARY HIGH TIDE LINE, N. 16° 47' 42" E., 127.22 FEET TO THE PIERHEAD LINE AS ESTABLISHED BY ACT OF CONGRESS IN 1887; THENCE ALONG SAID PIERHEAD LINE S. 65° 32' 47.5" E., 854.71 FEET; THENCE, LEAVING THE SAID PIERHEAD LINE, S. 16° 47' 42" W., 157.59 FEET TO A POINT ON THE ORDINARY HIGH TIDE LINE; THENCE, ALONG THE SAID ORDINARY HIGH TIDE LINE N. 50° 17' 14" W., 42.37 FEET; THENCE N. 56° 06' 31" W., 109.55 FEET; THENCE N. 68° 28' 07" W., 149.49 FEET; THENCE N. 63° 52' 34" W., 102.59 FEET; THENCE N. 66° 22' 33" W., 98.22 FEET; THENCE N. 78° 52' 05" W., 106.15 FEET TO THE POINT OF BEGINNING, CONTAINING 2.72 ACRES, MORE OR LESS.